



PATENT

IN THE UNITED STATES

PATENT AND TRADEMARK OFFICE

APPLICANTS: Steven W. Meeks, et al.
SERIAL NO.: 09/347,622
FILING DATE: July 2, 1999
TITLE: System for Simultaneously Measuring Thin Film Layer Thickness,
Reflectivity, Roughness, Surface Profile and Magnetic Pattern
EXAMINER: Not Assigned
GROUP ART UNIT: 2877
ATTY. DKT. NO.: 4304 US

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231, on the date shown below:

Dated: 20 Sept 99

By:

John T. McNelis, Reg. No. 37,186

BOX MISSING PARTS
ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION

SIR:

Responsive to Form PTO-1533 dated July 30, 1999, received in the above-identified patent application, enclosed are:


- ☒ a copy of the Notice to File Missing Parts;
- ☒ an original, signed Declaration;
- ☒ a signed Verified Statement
- ☒ Applicant respectfully submits that since this application was entitled to Small Entity Status when filed, as established with the enclosed original, signed, Verified Statement, the fee for filing as a large

entity as indicated in the Notice to File Missing Parts is inappropriate
and that the filing fee submitted with this application as originally
filed is sufficient to cover the filing fees for this application;

- ☒ Assignment & Assignment Recordation;
☒ payment in the amount of \$105.00 for the surcharge.

Respectfully submitted,
Steven W. Meeks, et al.

Dated: 20 Sept 99

By: 
John T. McNelis, Reg. No. 37,186
Fenwick & West LLP
Two Palo Alto Square
Palo Alto, CA 94306
Tel.: (650) 858-7133
Fax.: (650) 494-1417



RECTOR/9

PTO/SB/21 (modified)

Approved for use through xx/xx/xx, OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM <i>(to be used for all correspondence during pendency of filed application)</i>	0001/PTO Rev. 10/95	U.S. Department of Commerce Patent and Trademark Office	Application Number	09/347,622
			Filing Date	July 2, 1999
			First Named Inventor	Steven W. Meeks
			Group Art Unit Number	2877
			Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission		11	Attorney Docket Number	4304

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input checked="" type="checkbox"/> Check Enclosed <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Response to Notice to File Missing Parts <input checked="" type="checkbox"/> Assignment & Assignment Recordation <input checked="" type="checkbox"/> Declaration <input checked="" type="checkbox"/> Small Entity Statement <input type="checkbox"/> Information Disclosure Statement & PTO-1449 <input type="checkbox"/> Copies of IDS Cited References <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Request for Correction of Recorded Assignment <input type="checkbox"/> Amendment/Response: [] Page(s) <input type="checkbox"/> After Final <input type="checkbox"/> Status Request <input type="checkbox"/> Revocation and Power of Attorney	<input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Letter to Chief Draftsperson <input type="checkbox"/> Formal Drawing(s): [] Sheet(s) of Figure(s) [] <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> After Allowance Communication to Group <input checked="" type="checkbox"/> copy of PTO-1533 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
--	---

REMARKS:

SIGNATURE OF ATTORNEY OR AGENT

Signature:		
Attorney/Reg. No.:	John T. McNelis/37,186	Dated: 20 Sept 99

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The Assistant Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.		
Signature:		
Typed or Printed Name:	John T. McNelis	Dated: 20 Sept 99
Express Mail Mailing Number (optional):		

12155-03666/873920.1

Rev. 09/17/99



PTO/SB/17 (6-95)(modified)
Approved for use through 11/30/96, OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

0002/PTO(modified) Rev. 10/95	U.S. Department of Commerce Patent and Trademark Office	FEE TRANSMITTAL	
TOTAL AMOUNT OF PAYMENT		Complete if Known	
Subtotal (1) + Subtotal (2) + Subtotal (3) = (\$)105		Application Number	09/347,622
		Filing Date	July 2, 1999
		First Named Inventor	Steven W. Meeks
		Group Art Unit	2877
		Examiner Name	Not yet assigned
		Attorney Docket Number	4304

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																									
1. The Commissioner is hereby authorized to: <input type="checkbox"/> Charge the indicated fees to the below mentioned deposit account. <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. [†] <input type="checkbox"/> Charge the Issue Fee set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b) to the below mentioned deposit account. Deposit Account Number: 19-2555 Deposit Account Name: FENWICK & WEST LLP A Duplicate Copy of this authorization is attached 2. <input checked="" type="checkbox"/> Payment Enclosed: [X] Check [] Other		3. ADDITIONAL FEES <table border="1"><thead><tr><th>Large Entity Fee Code/Fee</th><th>Small Entity Fee Code/Fee</th><th>Fee Description</th><th>Fee Due</th></tr></thead><tbody><tr><td>105/\$130</td><td>205/\$65</td><td>Surcharge - late filing fee or oath</td><td>65</td></tr><tr><td>127/\$50</td><td>227/\$25</td><td>Surcharge-late provisional filing fee or cover sheet</td><td></td></tr><tr><td>147/\$2,520</td><td>147/\$2,520</td><td>For filing a request for reexamination</td><td></td></tr><tr><td>115/\$110</td><td>215/\$55</td><td>Extension for response within first month[†]</td><td></td></tr><tr><td>116/\$380</td><td>216/\$190</td><td>Extension for response within second month[†]</td><td></td></tr><tr><td>117/\$870</td><td>217/\$435</td><td>Extension for response within third month[†]</td><td></td></tr><tr><td>118/\$1,360</td><td>218/\$680</td><td>Extension for response within fourth month[†]</td><td></td></tr><tr><td>128/\$1,850</td><td>228/\$925</td><td>Extension for response within fifth month[†]</td><td></td></tr><tr><td>119/\$300</td><td>219/\$150</td><td>Notice of Appeal</td><td></td></tr><tr><td>141/\$1,210</td><td>241/\$605</td><td>Petition to revive unintentionally abandoned application</td><td></td></tr><tr><td>142/\$1,210</td><td>242/\$605</td><td>Utility Issue Fee (Or Reissue)</td><td></td></tr><tr><td>143/\$430</td><td>243/\$215</td><td>Design Issue Fee</td><td></td></tr><tr><td>122/\$130</td><td>122/\$130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>123/\$50</td><td>123/\$50</td><td>Petitions related to provisional applications</td><td></td></tr><tr><td>126/\$240</td><td>126/\$240</td><td>Submission of Information Disclosure Statement</td><td></td></tr><tr><td>581/\$40</td><td>581/\$40</td><td>Recording each patent assignment per property (times number of properties)</td><td>40</td></tr><tr><td>146/\$760</td><td>246/\$380</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr><tr><td>149/\$760</td><td>249/\$380</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr><tr><td colspan="2">Other fee (specify):</td><td></td><td></td></tr><tr><td colspan="2">Other fee (specify):</td><td></td><td></td></tr><tr><td colspan="2">SUBTOTAL (3)</td><td colspan="2">(\$) 105</td></tr></tbody></table>		Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due	105/\$130	205/\$65	Surcharge - late filing fee or oath	65	127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet		147/\$2,520	147/\$2,520	For filing a request for reexamination		115/\$110	215/\$55	Extension for response within first month [†]		116/\$380	216/\$190	Extension for response within second month [†]		117/\$870	217/\$435	Extension for response within third month [†]		118/\$1,360	218/\$680	Extension for response within fourth month [†]		128/\$1,850	228/\$925	Extension for response within fifth month [†]		119/\$300	219/\$150	Notice of Appeal		141/\$1,210	241/\$605	Petition to revive unintentionally abandoned application		142/\$1,210	242/\$605	Utility Issue Fee (Or Reissue)		143/\$430	243/\$215	Design Issue Fee		122/\$130	122/\$130	Petitions to the Commissioner		123/\$50	123/\$50	Petitions related to provisional applications		126/\$240	126/\$240	Submission of Information Disclosure Statement		581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)	40	146/\$760	246/\$380	Filing a submission after final rejection (37 CFR 1.129(a))		149/\$760	249/\$380	For each additional invention to be examined (37 CFR 1.129(b))		Other fee (specify):				Other fee (specify):				SUBTOTAL (3)		(\$) 105	
Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due																																																																																								
105/\$130	205/\$65	Surcharge - late filing fee or oath	65																																																																																								
127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet																																																																																									
147/\$2,520	147/\$2,520	For filing a request for reexamination																																																																																									
115/\$110	215/\$55	Extension for response within first month [†]																																																																																									
116/\$380	216/\$190	Extension for response within second month [†]																																																																																									
117/\$870	217/\$435	Extension for response within third month [†]																																																																																									
118/\$1,360	218/\$680	Extension for response within fourth month [†]																																																																																									
128/\$1,850	228/\$925	Extension for response within fifth month [†]																																																																																									
119/\$300	219/\$150	Notice of Appeal																																																																																									
141/\$1,210	241/\$605	Petition to revive unintentionally abandoned application																																																																																									
142/\$1,210	242/\$605	Utility Issue Fee (Or Reissue)																																																																																									
143/\$430	243/\$215	Design Issue Fee																																																																																									
122/\$130	122/\$130	Petitions to the Commissioner																																																																																									
123/\$50	123/\$50	Petitions related to provisional applications																																																																																									
126/\$240	126/\$240	Submission of Information Disclosure Statement																																																																																									
581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)	40																																																																																								
146/\$760	246/\$380	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																									
149/\$760	249/\$380	For each additional invention to be examined (37 CFR 1.129(b))																																																																																									
Other fee (specify):																																																																																											
Other fee (specify):																																																																																											
SUBTOTAL (3)		(\$) 105																																																																																									
1. FILING FEE <table border="1"><thead><tr><th>Large Entity Fee Code/Fee</th><th>Small Entity Fee Code/Fee</th><th>Fee Description</th><th>Fee Due</th></tr></thead><tbody><tr><td>101/\$760</td><td>201/\$380</td><td>Utility Filing</td><td></td></tr><tr><td>106/\$310</td><td>206/\$155</td><td>Design Filing</td><td></td></tr><tr><td>108/\$760</td><td>208/\$380</td><td>Reissue Filing</td><td></td></tr><tr><td>114/\$150</td><td>214/\$75</td><td>Provisional Filing</td><td></td></tr><tr><td colspan="2">SUBTOTAL (1)</td><td colspan="2">(\$) 0</td></tr></tbody></table>		Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due	101/\$760	201/\$380	Utility Filing		106/\$310	206/\$155	Design Filing		108/\$760	208/\$380	Reissue Filing		114/\$150	214/\$75	Provisional Filing		SUBTOTAL (1)		(\$) 0																																																																			
Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due																																																																																								
101/\$760	201/\$380	Utility Filing																																																																																									
106/\$310	206/\$155	Design Filing																																																																																									
108/\$760	208/\$380	Reissue Filing																																																																																									
114/\$150	214/\$75	Provisional Filing																																																																																									
SUBTOTAL (1)		(\$) 0																																																																																									
2. CLAIMS <table border="1"><thead><tr><th>Large Entity Fee Code/Fee</th><th>Small Entity Fee Code/Fee</th><th>Fee Description</th></tr></thead><tbody><tr><td>103/\$18</td><td>203/\$9</td><td>Claims in excess of 20</td></tr><tr><td>102/\$78</td><td>202/\$39</td><td>Independent claims in excess of 3</td></tr><tr><td>104/\$260</td><td>204/\$130</td><td>Multiple dependent claim</td></tr><tr><td>109/\$78</td><td>209/\$39</td><td>Reissue independent claims over original patent</td></tr><tr><td>110/\$18</td><td>210/\$9</td><td>Reissue claims in excess of 20 and over original patent</td></tr></tbody></table>		Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	103/\$18	203/\$9	Claims in excess of 20	102/\$78	202/\$39	Independent claims in excess of 3	104/\$260	204/\$130	Multiple dependent claim	109/\$78	209/\$39	Reissue independent claims over original patent	110/\$18	210/\$9	Reissue claims in excess of 20 and over original patent																																																																								
Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description																																																																																									
103/\$18	203/\$9	Claims in excess of 20																																																																																									
102/\$78	202/\$39	Independent claims in excess of 3																																																																																									
104/\$260	204/\$130	Multiple dependent claim																																																																																									
109/\$78	209/\$39	Reissue independent claims over original patent																																																																																									
110/\$18	210/\$9	Reissue claims in excess of 20 and over original patent																																																																																									
		<table border="1"><thead><tr><th colspan="2">(Col. 1)</th><th colspan="2">(Col. 2)</th><th colspan="2">(Col. 3)</th><th rowspan="2">Fee</th><th rowspan="2">Fee Due</th></tr><tr><th>For</th><th>No. of Existing Claims</th><th></th><th>Highest No. Previously Paid For</th><th>Extra**</th><th></th></tr></thead><tbody><tr><td>TOTAL</td><td></td><td>minus*</td><td>20 or</td><td>=</td><td>x</td><td></td><td></td></tr><tr><td>INDEP</td><td></td><td>minus*</td><td>3 or</td><td>=</td><td>x</td><td></td><td></td></tr><tr><td colspan="7">[] First presentation of multiple dependent claim</td><td>0</td></tr></tbody></table>		(Col. 1)		(Col. 2)		(Col. 3)		Fee	Fee Due	For	No. of Existing Claims		Highest No. Previously Paid For	Extra**		TOTAL		minus*	20 or	=	x			INDEP		minus*	3 or	=	x			[] First presentation of multiple dependent claim							0																																																		
(Col. 1)		(Col. 2)		(Col. 3)		Fee	Fee Due																																																																																				
For	No. of Existing Claims		Highest No. Previously Paid For	Extra**																																																																																							
TOTAL		minus*	20 or	=	x																																																																																						
INDEP		minus*	3 or	=	x																																																																																						
[] First presentation of multiple dependent claim							0																																																																																				
		* Subtract the greater number of Col. 2 ** If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3																																																																																									
SUBTOTAL (2)		(\$) 0																																																																																									

SUBMITTED BY		Complete (if applicable)	
Typed or Printed Name	John T. McNelis	Reg. Number	37,186
Signature		Date	20 Sept 99

[†] Request for Extension of Time per 37 CFR 1.136 (a)(3) made hereby
21708-03767/889939.1
Rev. 09/17/99